

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Anibal Calle

Debtor(s)

**THE BANK OF NEW YORK MELLON FKA THE
BANK OF NEW YORK AS TRUSTEE FOR THE
CERTIFICATEHOLDERS OF THE CWALT, INC.,
ALTERNATIVE LOAN TRUST 2005-J12
MORTGAGE PASS-THROUGH CERTIFICATES,
SERIES 2005-J12**

Movant

vs.

Anibal Calle

Respondent(s)

BK NO. 18-15916 AMC

Chapter 13

Hearing Date: 01/15/19

**OBJECTION OF THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW
YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWALT, INC.,
ALTERNATIVE LOAN TRUST 2005-J12 MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-J12
TO CONFIRMATION OF CHAPTER 13 PLAN**

THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWALT, INC., ALTERNATIVE LOAN TRUST 2005-J12 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-J12 (hereinafter Secured Creditor), objects to confirmation of Debtor's Chapter 13 plan and asserts in support of its Objection as follows:

1. On November 14, 2018, Secured Creditor filed a secured proof of claim setting forth pre-petition arrears in the amount of \$1,203.37.
2. Debtor's Plan fails to provide treatment towards the arrearage claim of the Secured Creditor.
3. Debtor's Plan understates the amount of the Secured Creditor's claim by \$1,203.37, and does not provide sufficient funding to pay said claim including present value interest.
4. Accordingly, Debtor's Plan is not feasible, as it does not fully compensate the Secured Creditor.
5. In addition, the Debtor's Plan fails to comply with 11 U.S.C. §§ 1322 and 1325.

WHEREFORE, the Secured Creditor, THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWALT, INC., ALTERNATIVE LOAN TRUST 2005-J12 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-J12, prays that the Court deny confirmation of the Debtor's Plan.

Respectfully submitted,

Date: December 20, 2018

By: /s/ Kevin G. McDonald, Esquire

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